# No. 72

# **MICHIGAN SENATE**

# DAILY CALENDAR

TUESDAY, DECEMBER 10, 2002 10:00 a.m.

## MESSAGES FROM THE HOUSE

— 1 ——

# HB 5468 Rep. Kilpatrick

Transportation; carriers; exemption for new Detroit area regional transportation authority; amend motor bus transportation act to provide for.

Amends sec. 4 of 1982 PA 432 (MCL 474.104).

Returned from House as requested, Thursday, November 14.

Committee recommended I.E.

#### CONFERENCE REPORTS

## SJR D Sen. McCotter

State; employees and officers; adoption of state officers compensation commission recommendation for next legislative session; require legislature approval.

Amends sec. 12, art. IV of the state constitution.

Conference report received in the Senate, Wednesday, October 24, 2001; laid over under the rules.

For text of conference report, see Senate Journal No. 74 of 2001, page 1873.

Adoption pending.

# THIRD READING OF BILLS

## **HB 5363** Rep. Kolb

Consumer protection; leases; vehicle lease transactions; include in vehicle code regulation.

Amends secs. 11, 213, 216, 217, 217c, 222, 226, 226a, 233b, 244, 248, 249, 251 & 251a of 1949 PA 300 (MCL 257.11 et seq.).

I.E. House, May 9, 2002.

House substitute (H-5).

Reported by Committee on Transportation and Tourism. Senate substitute (S-2).

Committee recommended I.E.

— 4 ——

#### HB **5364** Rep. Gilbert

Trade; vehicles; unlicensed dealers; clarify definition of dealer and provide for penalties and administrative procedure for unlicensed dealers.

Amends sec. 11 of 1949 PA 300 (MCL 257.11) & adds sec. 248j.

I.E. House, May 9, 2002.

House substitute (H-2).

Reported by Committee on Transportation and Tourism. Senate substitute (S-2).

Committee recommended I.E.

### THIRD READING OF BILLS

\_\_\_\_ 5 \_\_\_\_\_

# HB 4237 Rep. Rocca

Education; teachers; certification in cardiopulmonary resuscitation; require for new teacher certification.

Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 1531d.

I.E. House, April 16, 2002.

House substitute (H-1).

Reported by Committee on Education.

Senate substitute (S-1).

Committee recommended I.E.

# SB 1240 Sen. McCotter

Transportation; authorities; regional transportation authority; allow certain cities to withdraw from.

Amends sec. 4 of 1967 PA 204 (MCL 124.404).

Reported by Committee on Government Operations. Senate substitute (S-2).

Committee recommended I.E.

**–** 7 **–** 

# **HB 5719** Rep. Kuipers

Legislature; auditor general; reference to auditor general in federal grant statute; eliminate.

Amends sec. 3 of 1942 (1st Ex Sess) PA 16 (MCL 388.803).

I.E. House, March 12, 2002.

Reported by Committee on Government Operations. Committee recommended I.E.

# HB 5720 Rep. Kuipers

Legislature; auditor general; reference to auditor general in school for the deaf statute; eliminate.

Amends secs. 10, 12, 14 & 16 of 1893 PA 116 (MCL 393.60 et seq.).

I.E. House, March 12, 2002.

House substitute (H-1).

Reported by Committee on Government Operations. Committee recommended I.E.

\_ 9 \_

# **HB** 5721 Rep. Kuipers

Legislature; auditor general; reference to auditor general in Michigan school for the blind statute; eliminate.

Amends secs. 9 & 10 of 1893 PA 123 (MCL 393.109 & 393.110).

I.E. House, March 12, 2002.

House substitute (H-1).

Reported by Committee on Government Operations.

### THIRD READING OF BILLS

\_\_\_\_ 10 \_\_\_\_\_

## **HB** 5722 Rep. Patterson

Legislature; auditor general; reference to duties of the auditor general in the general property tax act; eliminate.

Amends secs. 35, 41, 57a, 58, 62, 63, 64, 66, 67, 70, 73, 73a, 73b, 75, 83, 85, 86, 87, 88, 90, 95, 96, 97, 98, 98a, 99, 101, 102, 103, 105, 113, 121, 122, 127b, 130, 135, 138, 139 & 144 of 1893 PA 206 (MCL 211.35 et seq.).

I.E. House, April 16, 2002.

Reported by Committee on Government Operations. Committee recommended I.E.

### HB 5742 Rep. Kuipers

Legislature; auditor general; reference to auditor general in nonpublic school statute; eliminate.

Amends sec. 1 of 1921 PA 302 (MCL 388.551).

I.E. House, April 9, 2002.

Reported by Committee on Government Operations. Committee recommended I.E.

\_\_\_\_\_ 12 \_\_\_\_\_

### SB 503 Sen. Garcia

Financial institutions; other; regulation of deferred presentment service transaction; provide for.

Creates new act.

Reported by Committee on Banking and Financial Institutions.

Senate substitute (S-7).

For Senate amendment, see Senate Journal No. 73 of 2001, page 1852.

Committee recommended I.E.

\_\_\_\_ 13 \_\_\_\_

# SB 1030 Sen. McCotter

Crimes; other; provisions relating to prize fighting; repeal.

Repeals secs. 442, 443, 444, 445, 446 & 447 of 1931 PA 328 (MCL 750.442 et seq.).

Reported by Committee on Government Operations. Committee recommended I.E.

\_\_\_\_\_ 14 \_\_\_\_\_

# SB 1031 Sen. McCotter

Criminal procedure; sentencing guidelines; sentencing guidelines for crimes of prize fighting and training for prize fighting; eliminate.

Amends sec. 16v, ch. XVII of 1927 PA 175 (MCL 777.16v).

**Reported by Committee on Government Operations. Committee recommended I.E.** 

#### SB 1036 Sen. McCotter

Vehicles; other; prohibition against displaying an emblem or insignia on motor vehicles; limit application to certain fraternal and nonprofit organizations.

Amends sec. 3 of 1929 PA 269 (MCL 430.53).

Reported by Committee on Government Operations. Committee recommended I.E.

#### THIRD READING OF BILLS

— 16 ———

### **HB** 5716 Rep. Jacobs

Legislature; auditor general; reference to auditor general in statute concerning state real estate sales; eliminate.

Amends title & secs. 1, 2, 3 & 4 of 1941 PA 230 (MCL 322.1 et seq.).

I.E. House, April 17, 2002.

Reported by Committee on Government Operations. Committee recommended I.E.

# HB 4352 Rep. Richner

Vehicles; license plates; specialty plates for ducks unlimited; provide for.

Amends sec. 811e of 1949 PA 300 (MCL 257.811e) & adds sec. 811o.

I.E. House, April 17, 2001.

House substitute (H-2).

Reported by Committee on Transportation and Tourism. Senate substitute (S-4).

For Senate amendments, see Senate Journal No. 70, page 2246.

Committee recommended I.E.

\_\_\_\_\_ 18 \_\_\_\_\_

# SB 708 Sen. Garcia

Financial institutions; generally; predatory lending practices; prohibit and provide penalties.

Creates new act.

Reported by Committee on Banking and Financial Institutions.

Senate substitute (S-6).

Committee recommended I.E.

#### SB 709 Sen. Garcia

Financial institutions; savings banks; predatory lending practices; prohibit and provide penalties.

Amends 1996 PA 354 (MCL 487.3101 - 487.3804) by adding sec. 435.

Reported by Committee on Banking and Financial Institutions.

Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_ 20 \_\_\_\_

#### SB 710 Sen. Garcia

Financial institutions; credit unions; predatory lending practices; prohibit and provide penalties.

Amends 1925 PA 285 (MCL 490.1 - 490.31) by adding sec. 10a.

Reported by Committee on Banking and Financial Institutions.

Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_ 21 \_\_\_\_\_

## SB 711 Sen. Garcia

Financial institutions; savings and loan associations; predatory lending practices; prohibit and provide penalties.

Amends 1980 PA 307 (MCL 491.102 - 491.1202) by adding sec. 737.

Reported by Committee on Banking and Financial Institutions.

Senate substitute (S-1).

### THIRD READING OF BILLS

— 22 ———

#### SB 712 Sen. Garcia

Financial institutions; other; predatory lending practices; prohibit and provide penalties.

Amends 1987 PA 173 (MCL 445.1651 - 445.1684) by adding sec. 24a.

Reported by Committee on Banking and Financial Institutions.

Senate substitute (S-1).

Committee recommended I.E.

— 23 —

## 713 Sen. Garcia

Financial institutions; banks; predatory lending practices; prohibit and provide penalties.

Amends 1999 PA 276 (MCL 487.11101 - 487.15105) by adding sec. 4206.

Reported by Committee on Banking and Financial Institutions.

Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_ 24 \_\_\_

# SB 714 Sen. Garcia

Financial institutions; other; predatory lending practices; prohibit and provide penalties.

Amends 1981 PA 125 (MCL 493.51 - 493.81) by adding

Reported by Committee on Banking and Financial Institutions.

Senate substitute (S-1).

Committee recommended I.E.

#### **GENERAL ORDERS**

\_\_\_\_ 25 \_\_\_\_\_

# **HB 4698** Rep. Allen

Economic development; brownfield redevelopment authority; work plan approval; establish criteria.

Amends sec. 15 of 1996 PA 381 (MCL 125.2665).

I.E. House, May 24, 2001.

House substitute (H-2).

Reported by Committee on Economic Development, International Trade and Regulatory Affairs.

Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_ 26 \_\_\_\_

# SB 750 Sen. Gast

State; funds; budget stabilization fund withdrawal; allow. Amends sec. 353c of 1984 PA 431 (MCL 18.1353c).

Reported by Committee on Appropriations.

Committee recommended I.E.

— 27 ——

# 1312 Sen. Johnson

Liquor; licenses; "catering permit" for on-premises licensees to serve alcohol at locations other than the licensed premises under certain circumstances; provide for.

Amends 1998 PA 58 (MCL 436.1101 - 436.2303) by adding sec. 545.

Reported by Committee on Economic Development, International Trade and Regulatory Affairs.

Committee recommended I.E.

#### **GENERAL ORDERS**

**—** 28 **—** 

#### SB 618 Sen. Garcia

Economic development; development incentives; certified capital company law; create and provide investment incentives for insurance companies.

Creates new act.

Reported by Committee on Economic Development, International Trade and Regulatory Affairs.

Senate substitute (S-2).

Committee recommended I.E.

- 29 -

#### HB **4090** Rep. Switalski

Courts; juries; juror compensation; increase.

Amends sec. 1344 of 1961 PA 236 (MCL 600.1344).

I.E. House, October 18, 2001.

House substitute (H-3).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

- 30 **-**

#### HB **4551** Rep. Newell

Courts; funding; juror compensation reimbursement fund; create.

Amends 1961 PA 236 (MCL 600.101 - 600.9948) by adding sec. 151c.

I.E. House, October 18, 2001.

House substitute (H-3).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

— 31 —

# **4552** Rep. Daniels

Traffic control; driver license; driver license clearance fee; increase and earmark increase for juror compensation fund.

Amends sec. 321a of 1949 PA 300 (MCL 257.321a).

I.E. House, October 18, 2001.

House substitute (H-1).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

— 32 —

#### HB 4553 Rep. Richner

Courts; funding; revenue from juror compensation reimbursement fund; direct to cost of increased juror compensa-

Amends 1961 PA 236 (MCL 600.101 - 600.9948) by adding sec. 151d.

I.E. House, October 18, 2001.

House substitute (H-2).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

- 33 -

#### HB 4798 Rep. Richner

Courts; juries; jury demand fee; increase. Amends secs. 2529 & 8371 of 1961 PA 236 (MCL 600.2529 & 600.8371).

I.E. House, October 18, 2001.

For House amendment, see House Journal No. 71, page 2091.

Reported by Committee on Judiciary.

Senate substitute (S-2).

<del>\_\_\_\_ 34 \_\_\_\_\_</del>

#### **HB** 5047 Rep. Anderson

Law enforcement; local police; administrative fee for arrests made on warrants issued by other departments; allow collection of by local police departments.

Amends 1927 PA 175 (MCL 760.1 - 777.69) by adding sec. 12a to ch. V.

I.E. House, December 5, 2001.

For House amendments, see House Journal No. 83, page 2511.

Reported by Committee on Judiciary. Committee recommended I.E.

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## HB 4642 Rep. Cassis

Elections; absent voters; absent voter ballot; allow voters who registered to vote by mail and who have not subsequently voted in person to utilize if certain form is completed and notarized.

Amends sec. 509t of 1954 PA 116 (MCL 168.509t).

Reported by Committee on Government Operations. Committee recommended I.E.

# SB 1317 Sen. Garcia

Use tax; exemptions; alternative energy vehicles, alternative energy marine propulsion system, and alternative energy system; provide for use tax exemption.

Amends 1937 PA 94 (MCL 205.91 - 205.111) by adding sec. 4w.

Reported by Committee on Finance.

Senate substitute (S-3).

**Committee recommended I.E.** 

\_\_\_\_\_ 37 \_\_\_\_\_

#### SB 1321 Sen. Sanborn

Sales tax; exemptions; alternative energy vehicles, alternative energy marine propulsion system, and alternative energy system; provide for sales tax exemption.

Amends 1933 PA 167 (MCL 205.51 - 205.78) by adding sec. 4aa.

Reported by Committee on Finance.

Senate substitute (S-3).

Committee recommended I.E.

— 38 ——

# **HB** 5727 Rep. Voorhees

Taxation; revenue sharing; withholding of revenue sharing funds to satisfy payments owed to certain local retirement systems; authorize.

Amends sec. 17a of 1971 PA 140 (MCL 141.917a).

I.E. House, May 7, 2002.

House substitute (H-2).

Committee on Appropriations discharged, Thursday, June 6.

\_\_\_\_ 39 \_\_\_\_\_

# **HB** 4915 Rep. Lemmons

Elections; recounts; reimbursement of certain costs for recounting ballots; provide for under certain circumstances.

Amends sec. 867 of 1954 PA 116 (MCL 168.867).

I.E. House, December 11, 2001.

House substitute (H-1).

Reported by Committee on Government Operations. Committee recommended I.E.

#### **GENERAL ORDERS**

#### **SB** 611 Sen. Hammerstrom

Occupations; athletics; registration of athletic trainers; provide for.

Amends sec. 16263 of 1978 PA 368 (MCL 333.16263) & adds sec. 16336 & pt. 179.

Reported by Committee on Economic Development, International Trade and Regulatory Affairs.

Committee recommended I.E.

# HB 4017 Rep. Rocca

Legislature; sessions; session to be preceded by pledge of allegiance; require.

Amends 1877 PA 67 (MCL 4.41 - 4.46) by adding sec. 2a.

I.E. House, July 2, 2002.

Reported by Committee on Government Operations.

For Senate amendment, see Senate Journal No. 63, page 2065.

Committee recommended I.E.

42 —

# **HB 5371** Rep. Middaugh

Children; child care; child care provider registry; estabish.

Amends 1973 PA 116 (MCL 722.111 - 722.128) by adding sec. 11b.

I.E. House, May 16, 2002.

For House amendments, see House Journal No. 45, page 1526.

Reported by Committee on Families, Mental Health and Human Services.

For Senate amendment, see Senate Journal No. 63, page 2066.

Committee recommended I.E.

# **HB** 5372 Rep. Middaugh

Children; protection; notification of the department of consumer and industry services if an alleged perpetrator of child abuse or neglect is a child care provider; require.

Amends secs. 2, 3, 7 & 8a of 1975 PA 238 (MCL 722.622 et seq.).

I.E. House, May 16, 2002.

House substitute (H-2).

Reported by Committee on Families, Mental Health and Human Services.

Senate substitute (S-1).

# **HB 5984** Rep. DeWeese

Law enforcement; reports; reporting suspected child abuse or neglect; expand to include member of the clergy.

Amends secs. 2, 3 & 11 of 1975 PA 238 (MCL 722.622 et seg.).

I.E. House, June 19, 2002.

House substitute (H-1).

Reported by Committee on Families, Mental Health and Human Services.

Senate substitute (S-1).

<del>\_\_\_\_ 45 \_\_\_\_</del>

#### **HB 6202** Rep. Tabor

Children; child care; requirement for staff of child care centers to provide documentation regarding central registry checks; provide for.

Amends 1973 PA 116 (MCL 722.111 - 722.128) by adding sec. 9.

I.E. House, June 27, 2002.

House substitute (H-2).

Reported by Committee on Families, Mental Health and Human Services.

Senate substitute (S-1).

# **HB 6204** Rep. Woronchak

Children; child care; documentation provided to an individual stating that the individual is not on the central registry; allow for family independence agency.

Amends 1975 PA 238 (MCL 722.621 - 722.638) by adding sec. 7j.

I.E. House, June 27, 2002.

House substitute (H-1).

For House amendment, see House Journal No. 59, page 2250.

Reported by Committee on Families, Mental Health and Human Services.

Senate substitute (S-1).

# **HB** 6205 Rep. Garza

Children; child care; posting in child care facility of option to require criminal history checks on employees and volunteers; require.

Amends 1973 PA 116 (MCL 722.111 - 722.128) by adding sec. 3e.

I.E. House, June 27, 2002.

Reported by Committee on Families, Mental Health and Human Services.

For Senate amendments, see Senate Journal No. 63, page 2067.

# HB 5743 Rep. Cassis

Property tax; homestead exemption; procedures for appealing the denial of homestead exemption; revise.

Amends sec. 53b of 1893 PA 206 (MCL 211.53b) & adds sec. 7gg.

I.E. House, April 18, 2002.

Reported by Committee on Finance.

Senate substitute (S-2).

Committee recommended I.E.

# **HB 5947** Rep. DeWeese

Property tax; payment and collection; township treasurer required business hours; revise.

Amends sec. 44 of 1893 PA 206 (MCL 211.44).

I.E. House, June 19, 2002.

Reported by Committee on Finance.

Senate substitute (S-1).

Committee recommended I.E.

### **GENERAL ORDERS**

— 50 ——

# **HB 5999** Rep. Richner

Insurance; annuities; minimum nonforfeiture rate for individual fixed annuity contracts; revise.

Amends sec. 4072 of 1956 PA 218 (MCL 500.4072).

I.E. House, June 4, 2002.

Reported by Committee on Financial Services.

Committee recommended I.E.

— 51 —

# SB 1497 Sen. Van Regenmorter

Criminal procedure; bail; release on bail of certain individuals charged with certain offenses; amend procedures for.

Amends secs. 26 & 28, ch. V of 1927 PA 175 (MCL 765.26 & 765.28).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_\_ 52 \_\_\_\_

## SB 1369 Sen. Emmons

State; escheats; uniform unclaimed property act; revise. Amends secs. 2, 4, 15, 18, 30, 31 & 32 of 1995 PA 29 (MCL 567.222 et seq.) & adds sec. 4a.

Reported by Committee on Finance.

Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_ 53 \_\_\_\_\_

### SB 1501 Sen. Emmons

Taxation; other; amendments to revenue act to authorize the state to enter into tax agreements with Native American tribes; provide for.

Amends sec. 30c of 1941 PA 122 (MCL 205.30c).

Reported by Committee on Finance.

Committee recommended I.E.

\_\_\_\_ 54 \_\_\_\_\_

#### SB 1502 Sen. Bullard

Income tax; deductions; deductions for resident tribal members with tribal agreements with the state; provide for.

Amends sec. 30 of 1967 PA 281 (MCL 206.30).

Reported by Committee on Finance.

Committee recommended I.E.

**—** 55 **—** 

# SB 1503 Sen. Bullard

Sales tax; exemptions; exemption for certain vehicles sold to members of certain Indian tribes; provide for.

Amends 1933 PA 167 (MCL 205.51 - 205.78) by adding sec. 4aa.

Reported by Committee on Finance.

Committee recommended I.E.

#### SB 1504 Sen. Bullard

Use tax; exemptions; exemption for certain vehicles sold to members of certain Indian tribes; provide for.

Amends 1937 PA 94 (MCL 205.91 - 205.111) by adding sec. 4x.

Reported by Committee on Finance.

— 57 ——

## **HB** 5540 Rep. Bisbee

State; escheats; unclaimed payroll checks under \$100.00; exempt.

Amends sec. 16 of 1995 PA 29 (MCL 567.236).

I.E. House, March 5, 2002.

House substitute (H-1).

Reported by Committee on Finance.

Senate substitute (S-1).

Committee recommended I.E.

## SB 629 Sen. Bullard

Insurance; health care corporations; direct reimbursement to provider of medical transportation services; provide for. Amends 1980 PA 350 (MCL 550.1101 - 550.1704) by adding sec. 418a.

Reported by Committee on Health Policy.

Senate substitute (S-1).

Committee recommended I.E.

#### SB 630 Sen. Bullard

Insurance; health; direct reimbursement to provider of medical transportation services; provide for.

Amends 1956 PA 218 (MCL 500.100 - 500.8302) by adding sec. 3406*l*.

Reported by Committee on Health Policy.

Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_\_\_ 60 \_\_\_\_\_

# **HB 5680** Rep. Birkholz

Health facilities; hospitals; board meeting requirements; exempt certain hospital authorities.

Amends secs. 5, 6 & 7 of 1945 PA 47 (MCL 331.5 et seq.).

I.E. House, April 9, 2002.

House substitute (H-1).

Reported by Committee on Health Policy.

**Committee recommended I.E.** 

# HB 5728 Rep. Vander Roest

Retirement; investments; public employee retirement system investment act; require supplemental actuarial evaluation before benefit changes and require employer contribution.

Amends sec. 20h of 1965 PA 314 (MCL 38.1140h) & adds sec. 20m.

I.E. House, May 7, 2002.

House substitute (H-2).

Reported by Committee on Appropriations.

Committee recommended I.E.

- 62 -

# HB 5729 Rep. Woronchak

Local government; budgets; require annual financial report be submitted electronically.

Amends sec. 4 of 1968 PA 2 (MCL 141.424).

I.E. House, May 7, 2002.

House substitute (H-1).

Reported by Committee on Appropriations.

Senate substitute (S-1).

Committee recommended I.E.

#### **GENERAL ORDERS**

— 63 ———

## **HB** 5730 Rep. Williams

Retirement; county employees; county pension plan committee; eliminate.

Amends sec. 12a of 1851 PA 156 (MCL 46.12a).

I.E. House, May 7, 2002.

Reported by Committee on Appropriations.

Committee recommended I.E.

## **HB 5049** Rep. Scranton

Education; examinations; disclosure of MEAP or other state test scores prior to notification or response by a school district; prohibit.

Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 1279a.

I.E. House, March 19, 2002.

House substitute (H-1).

Reported by Committee on Education.

Senate substitute (S-2).

Committee recommended I.E.

65

# **HB 5456** Rep. Mortimer

Property; conveyances; certain parcels of state owned property in Jackson county; provide for conveyance.

I.E. House, November 7, 2002.

House substitute (H-3).

Committee on Local, Urban and State Affairs discharged, Wednesday, December 4.

<del>\_\_\_\_</del> 66 <del>\_\_\_\_\_</del>

# **HB 5465** Rep. Bisbee

Property; conveyances; certain state owned property in Jackson county; provide for conveyance.

Creates new act.

I.E. House, November 7, 2002.

House substitute (H-3).

Committee on Local, Urban and State Affairs discharged, Wednesday, December 4.

— 67 ——

# **HB** 6333 Rep. Birkholz

Occupations; health care professions; "health profession specialty field certification" and quality assurance assessment fee for hospitals; revise term to "health profession specialty field license" and provide for.

Amends secs. 16105, 16106, 16108, 16128, 16163, 16174, 16186, 16261, 16323 & 16608 of 1978 PA 368 (MCL 333.16105 et seq.).

I.E. House, December 3, 2002.

House substitute (H-1).

Rules suspended, placed on General Orders, Wednesday, December 4.

# HB 6428 Rep. Rivet

Retirement; fire and police; health benefits for police and firefighters; increase.

Amends title & secs. 1 & 2 of 1966 PA 28 (MCL 38.571 & 38.572).

I.E. House, December 3, 2002.

House substitute (H-1).

Rules suspended, placed on General Orders, Wednesday, December 4.

<del>\_\_\_\_</del> 69 <del>\_\_\_\_\_</del>

## **HB** 4675 Rep. Allen

Retirement; judges; rate of retirement allowance; revise. Amends 1992 PA 234 (MCL 38.2101 - 38.2670) by adding sec. 512.

I.E. House, December 12, 2001.

House substitute (H-1).

Reported by Committee on Judiciary.

Senate substitute (S-2).

Committee recommended I.E.

<del>\_\_\_\_\_</del> 70 <del>\_\_\_\_\_</del>

# HB 5291 Rep. Vander Veen

Criminal procedure; sentencing guidelines; penalty provisions for violent crime committed in presence of a child; include in sentencing guidelines.

Amends secs. 1, 22 & 35, ch. XVII of 1927 PA 175 (MCL 777.1 et seq.).

I.E. House, May 28, 2002.

House substitute (H-2).

Reported by Committee on Judiciary.

Senate substitute (S-1).

### **HB 5296** Rep. DeRossett

Crimes; obscenity; crime of child pornography; revise. Amends sec. 145c of 1931 PA 328 (MCL 750.145c).

I.E. House, June 27, 2002.

House substitute (H-3).

Reported by Committee on Judiciary.

# HB 5297 Rep. Bishop

Criminal procedure; sentencing guidelines; felony penalty for possession of child pornography; provide for.

Amends sec. 16g, ch. XVII of 1927 PA 175 (MCL 777.16g).

I.E. House, June 27, 2002.

House substitute (H-1).

Reported by Committee on Judiciary.

# HB 5858 Rep. Faunce

Crimes; penalties; penalties for crimes when not fixed by statute; increase.

Amends secs. 503 & 504 of 1931 PA 328 (MCL 750.503 & 750.504).

I.E. House, June 27, 2002.

For House amendment, see House Journal No. 57, page 2143.

Reported by Committee on Judiciary.

Senate substitute (S-2).

### **GENERAL ORDERS**

— 74 ———

# HB 6079 Rep. Koetje

Crimes; penal code revision; references in the penal code to maximum penal fines; increase.

Amends secs. 16, 25, 33, 34, 44, 45, 50c, 57, 60, 64, 90c, 113, 114, 123, 125, 138, 140, 149, 150, 151, 153, 172, 173, 183, 184, 191, 192, 197a, 215, 217, 217c, 219, 220, 240, 263, 264, 287, 288, 294, 295, 298, 301, 302, 304, 305, 306, 314, 330, 331, 335, 335a, 354, 359, 368, 371, 375, 389, 393, 404, 407, 408, 410, 411a, 411d, 414, 428, 429, 430, 454, 466, 478, 482, 490a, 492, 502b, 508, 509, 519, 524, 537, 538, 540e, 540f & 561 of 1931 PA 328 (MCL 750.16 et seq.).

I.E. House, June 27, 2002.

For House amendments, see House Journal No. 57, page 2143.

Reported by Committee on Judiciary.

For Senate amendments, see Senate Journal No. 70, page 2268.

# **HB** 6095 Rep. Faunce

Crimes; controlled substances; penalties for sale or possession of drug "ecstasy"; increase.

Amends secs. 7214, 7401, 7402, 7403 & 7404 of 1978 PA 368 (MCL 333.7214 et seq.).

I.E. House, June 27, 2002.

House substitute (H-2).

Reported by Committee on Judiciary.

<del>\_\_\_\_\_ 76 \_\_\_\_\_</del>

# **HB** 6096 Rep. Meyer

Criminal procedure; sentencing guidelines; sentencing guidelines for crime of manufacturing, distributing, or possessing street drug commonly known as "ecstasy"; enact.

Amends sec. 13m, ch. XVII of 1927 PA 175 (MCL 777,13m).

I.E. House, June 27, 2002.

For House amendment, see House Journal No. 57, page 2144.

Reported by Committee on Judiciary.

77

## SB 1445 Sen. Emmons

Transportation; motor fuel tax; reimbursement of tax; include federal government and increase vehicle capacity to 12 passengers.

Amends secs. 40 & 41 of 2000 PA 403 (MCL 207.1040 & 207.1041).

Reported by Committee on Finance. Committee recommended I.E.

— 78 —

# **HB 5403** Rep. Newell

Single business tax; tax base; inclusion of compensation attributable to leased officers; provide for.

Amends sec. 9 of 1975 PA 228 (MCL 208.9).

I.E. House, May 2, 2002.

House substitute (H-1).

Reported by Committee on Finance.

— 79 ———

### **HB** 6069 Rep. Palmer

Income tax; property tax credit; special assessments for fire and advanced life support; include in definition of property taxes.

Amends sec. 512 of 1967 PA 281 (MCL 206.512).

I.E. House, November 13, 2002.

House substitute (H-2).

Reported by Committee on Finance.

Committee recommended I.E.

— 80 —

# HB 4035 Rep. Faunce

Liquor; licenses; penalties for a person who sells or furnishes alcohol to a minor; clarify to include certain agents and employees.

Amends sec. 701 of 1998 PA 58 (MCL 436.1701).

I.E. House, June 27, 2002.

House substitute (H-1).

Reported by Committee on Economic Development, International Trade and Regulatory Affairs.

Senate substitute (S-3).

Committee recommended I.E.

# **HB** 6501 Rep. Richardville

Single business tax; credit; brownfield redevelopment credits; extend sunset and make other modifications to credit determination.

Amends sec. 38g of 1975 PA 228 (MCL 208.38g).

I.E. House, November 13, 2002.

Reported by Committee on Economic Development, International Trade and Regulatory Affairs.

Committee recommended I.E.

# HB 6502 Rep. Allen

Economic development; brownfield redevelopment authority; extension of sunset and other modifications to the approval process; provide for.

Amends secs. 13 & 15 of 1996 PA 381 (MCL 125.2663 & 125.2665).

I.E. House, November 13, 2002.

For House amendment, see House Journal No. 68, page 2658.

Reported by Committee on Economic Development, International Trade and Regulatory Affairs.

Senate substitute (S-1).

Committee recommended I.E.

— 83 ——

# HB 4007 Rep. Jelinek

Insurance; no-fault; registered historic automobiles; exempt from Michigan catastrophic claims association premium.

Amends sec. 3104 of 1956 PA 218 (MCL 500.3104).

I.E. House, December 4, 2002.

House substitute (H-5).

Rules suspended, placed on General Orders, Thursday, December 5.

### **GENERAL ORDERS**

— 84 ———

# **HB** 6128 Rep. Kowall

Public utilities; gas utilities; regulation of alternative gas suppliers; provide for.

Amends 1939 PA 3 (MCL 460.1 - 460.10cc) by adding secs. 9, 9a, 9b, 9c, 9d, 9e, 9f & 9g.

I.E. House, December 4, 2002.

House substitute (H-2).

Rules suspended, placed on General Orders, Thursday, December 5.

\_\_\_\_ 85 \_\_\_\_

# HB 4607 Rep. Raczkowski

Insurance; health plans; uniform prescription drug information card; create.

Amends 1956 PA 218 (MCL 500.100 - 500.8302) by adding sec. 2213c.

I.E. House, November 13, 2002.

House substitute (H-3).

Reported by Committee on Financial Services.

Senate substitute (S-1).

Committee recommended I.E.

<del>------</del> 86 ------

# HB 6327 Rep. Bisbee

Insurance; other; procedure for certain reports on the state of competition in certain markets; change.

Amends secs. 2409, 2409a & 2409c of 1956 PA 218 (MCL 500.2409 et seq.).

I.E. House, November 13, 2002.

Reported by Committee on Financial Services.

Senate substitute (S-1).

Committee recommended I.E.

# HB 6448 Rep. Richner

Insurance; insurers; requirement for licensure as an insurer or insurance agent; exempt rental car companies and their employees.

Amends sec. 1202 of 1956 PA 218 (MCL 500.1202) & adds sec. 402c.

I.E. House, December 3, 2002.

House substitute (H-1).

Reported by Committee on Financial Services.

Committee recommended I.E.

— 88 ——

# **HB** 6256 Rep. Julian

Agriculture; marketing; district boundaries and commodity committee memberships; revise and include certain commodity inputs.

Amends title & secs. 2, 3, 4, 5, 7, 8, 9, 10, 11, 17, 19, 21, 22, 23 & 24 of 1965 PA 232 (MCL 290.652 et seq.) & repeals secs. 15 & 18 of 1965 PA 232 (MCL 290.665 & 290.668).

I.E. House, November 12, 2002.

House substitute (H-2).

Reported by Committee on Farming, Agribusiness and Food Systems.

- 89 -----

# HB 5394 Rep. McConico

Criminal procedure; sentencing; mandatory consecutive sentence for certain controlled substance violations; eliminate and provide criteria for determining whether a permissive consecutive sentence should be imposed.

Amends secs. 7401 & 7403 of 1978 PA 368 (MCL 333.7401 & 333.7403).

House substitute (H-3).

Reported by Committee on Judiciary.

Committee recommended I.E.

- 90 —

# **HB** 5395 Rep. McConico

Criminal procedure; sentencing; court authority to depart from mandatory minimum sentencing for certain controlled substance offenders; provide for.

Amends sec. 34, ch. IX & secs. 1 & 2, ch. XI of 1927 PA 175 (MCL 769.34 et seq.).

House substitute (H-2).

Reported by Committee on Judiciary.

Committee recommended I.E.

**—** 91

# **HB 6260** Rep. Howell

Courts; reorganization; concurrent jurisdiction among trial courts; allow.

Amends secs. 601 & 841 of 1961 PA 236 (MCL 600.601 & 600.841) & adds ch. 4 & sec. 8304.

I.E. House, December 3, 2002.

House substitute (H-1).

Reported by Committee on Judiciary.

— 92 ——

# HB 6447 Rep. Shulman

Courts; other; cyber court; revise.

Amends secs. 8001, 8005 & 8011 of 1961 PA 236 (MCL 600.8001 et seq.).

I.E. House, December 3, 2002.

House substitute (H-1).

Reported by Committee on Judiciary.

Committee recommended I.E.

- 93 —

# HB 6510 Rep. McConico

Corrections; parole; parole of individuals sentenced for certain drug offenses; allow.

Amends sec. 34 of 1953 PA 232 (MCL 791.234).

Reported by Committee on Judiciary.

Committee recommended I.E.

## **COMMITTEE REPORTS**

- 94 **----**

# **HB** 4818 Rep. Mortimer

State; historic sites; Vietnam memorial monument; allow monument fund to be used for maintenance of monument and memorial park.

Amends title & secs. 3 & 7 of 1988 PA 234 (MCL 35.1053 & 35.1057).

I.E. House, May 1, 2002.

House substitute (H-1).

Reported by Committee on Senior Citizens and Veterans Affairs.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

### **COMMITTEE REPORTS**

— 95 ———

#### SB 1128 Sen. Schwarz

Retirement; state employees; early retirement for certain state employees; allow under certain circumstances.

Amends secs. 1b, 1d, 5, 11, 13, 19, 20, 20d, 21, 24, 33, 38, 46, 48, 49 & 52 of 1943 PA 240 (MCL 38.1b et seq.) & adds sec. 19g.

Reported by Committee on Appropriations.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

<del>-----</del> 96 <del>-------</del>

# SB 1255 Sen. Gougeon

Retirement; state police; amendments to conform with required federal pension law changes; provide for.

Amends secs. 3, 14 & 14a of 1986 PA 182 (MCL 38.1603 et seq.).

Reported by Committee on Appropriations.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

97 ———

# SB 1520 Sen. Bennett

Employment security; funds; use of Michigan employment security funds for general fund purposes; allow.

Reported by Committee on Appropriations.

Reported with amendment.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

# **HB** 4273 Rep. Frank

Holidays; "Children's Memorial Day"; designate as March 1.

Creates new act.

I.E. House, November 1, 2001.

House substitute (H-2).

Reported by Committee on Appropriations.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

\_\_\_\_ 99 \_\_\_\_\_

## **HB** 5277 Rep. Julian

Law enforcement; fingerprinting; law requiring procurement of fingerprints upon arrest or conviction for crimes; include criminal contempt.

Amends secs. 2 & 3 of 1925 PA 289 (MCL 28.242 & 28.243).

I.E. House, November 1, 2001.

For House amendment, see House Journal No. 79, page 2338.

Reported by Committee on Judiciary.

Senate substitute (S-2).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

#### **COMMITTEE REPORTS**

\_\_\_\_ 100 \_\_\_\_\_

## **HB 5122** Rep. Toy

Vehicles; license plates; specialty plate for breast cancer awareness; provide for.

Amends 1949 PA 300 (MCL 257.1 - 257.923) by adding secs. 217p & 217q.

I.E. House, December 4, 2002.

House substitute (H-2).

Reported by Committee on Transportation and Tourism. Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

# HB 5734 Rep. Stallworth

Transportation; motor carrier fuel tax; rate of tax and procedure for the collection of diesel tax; revise.

Amends secs. 1, 2 & 4 of 1980 PA 119 (MCL 207.211 et seq.).

I.E. House, December 3, 2002.

House substitute (H-1).

Reported by Committee on Transportation and Tourism. Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

\_\_\_\_ 102 \_\_\_\_\_

### **HB 5735** Rep. Hart

Transportation; motor fuel tax; diesel fuel rate; increase. Amends secs. 8, 92 & 152 of 2000 PA 403 (MCL 207.1008 et seq.) & repeals sec. 91 of 2000 PA 403 (MCL 207.1091).

I.E. House, December 3, 2002.

House substitute (H-2).

Reported by Committee on Transportation and Tourism. Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

— 103 ———

# **HB** 5736 Rep. Julian

Use tax; diesel fuel; imposition on interstate motor carriers; provide for.

Amends secs. 2, 3, 4 & 4k of 1937 PA 94 (MCL 205.92 et seq.).

I.E. House, December 3, 2002.

House substitute (H-4).

Reported by Committee on Transportation and Tourism. Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

- 104 -----

# **HB** 6446 Rep. Shulman

Trade; vehicles; maximum document preparation fee for motor vehicle installment sales; revise and provide for inflation adjustment.

Amends secs. 13 & 18 of 1950 (Ex Sess) PA 27 (MCL 492.113 & 492.118).

I.E. House, December 3, 2002.

For House amendments, see House Journal No. 69, page 2747.

Reported by Committee on Transportation and Tourism. Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

### **COMMITTEE REPORTS**

— 105 ———

# **HB** 6486 Rep. Gilbert

Transportation; carriers; trucks hauling logs or tubular products; revise tie-down requirements under certain circumstances.

Amends secs. 719 & 720 of 1949 PA 300 (MCL 257.719 & 257.720).

I.E. House, December 4, 2002.

Reported by Committee on Transportation and Tourism. Refer to Committee of the Whole pursuant to Rule 3.701.

\_\_\_\_ 106 \_\_\_\_\_

# HB 6523 Rep. Shackleton

Transportation; funds; expenditure of rail grade crossing funds; clarify.

Amends sec. 11 of 1951 PA 51 (MCL 247.661).

I.E. House, December 4, 2002.

Reported by Committee on Transportation and Tourism. Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

\_\_\_\_\_ 107 \_\_\_\_\_

# **HB 5952** Rep. Bradstreet

State; purchasing; purchase of wood or paper products; give preference to products that derive from sustainably managed forestland.

Amends 1984 PA 431 (MCL 18.1101 - 18.1594) by adding sec. 261c.

I.E. House, November 7, 2002.

House substitute (H-1).

Reported by Committee on Hunting, Fishing and Forestry.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

— 108 ———

# HB 5953 Rep. Bradstreet

Natural resources; forests; right to forest; provide for. Creates new act.

I.E. House, November 7, 2002.

House substitute (H-5).

Reported by Committee on Hunting, Fishing and Forestry.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

# HB 5242 Rep. Vander Veen

State agencies (existing); family independence agency; pilot foster and adoptive parent resource centers; mandate family independence agency to establish.

Amends sec. 8 of 1994 PA 203 (MCL 722.958).

I.E. House, April 23, 2002.

House substitute (H-1).

Reported by Committee on Families, Mental Health and Human Services.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

#### **COMMITTEE REPORTS**

— 110 ——

# **HB** 5484 Rep. Tabor

Human services; children's services; foster care youth networks; establish.

Amends 1939 PA 280 (MCL 400.1 - 400.119b) by adding sec. 18e.

I.E. House, September 24, 2002.

House substitute (H-1).

Reported by Committee on Families, Mental Health and Human Services.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

— 111 ——

# HB 5583 Rep. Voorhees

Education; building use; child care centers operated by public schools; clarify regulation of.

Amends sec. 1285a of 1976 PA 451 (MCL 380.1285a).

I.E. House, February 13, 2002.

House substitute (H-1).

Reported by Committee on Families, Mental Health and Human Services.

Senate substitute (S-1).

Reported without recommendation; to be laid on the table pursuant to Rule 2.204.

**—** 112 **—** 

### HB 5584 Rep. Jacobs

Children; child care; certain before- and after-school programs operated by public schools; exclude from child care

Amends sec. 1 of 1973 PA 116 (MCL 722.111).

I.E. House, February 13, 2002.

Reported by Committee on Families, Mental Health and Human Services.

Senate substitute (S-2).

Reported without recommendation; to be laid on the table pursuant to Rule 2.204.

#### HB **5971** Rep. Vander Roest

Health; abortion; prepayment for abortion or for service performed in anticipation of the abortion; prohibit physicians and health facilities from accepting.

Amends secs. 16299, 17014 & 17015 of 1978 PA 368 (MCL 333.16299 et seq.).

I.E. House, May 29, 2002.

House substitute (H-1).

Reported by Committee on Families, Mental Health and Human Services.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule

## **HB 5994** Rep. Patterson

Children; protection; "born alive infant protection act";

Creates new act.

I.E. House, May 22, 2002.

For House amendments, see House Journal No. 47, page 1602.

Reported by Committee on Families, Mental Health and Human Services.

Reported with amendment.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule **3.701.** 

### **COMMITTEE REPORTS**

— 115 ———

# **HB 5995** Rep. Birkholz

Children; adoption; newborn as described in the "born alive infant protection act"; require treatment of newborn in compliance with the "safe delivery of newborns law".

Amends sec. 3, ch. XII of 1939 PA 288 (MCL 712.3).

I.E. House, May 22, 2002.

Reported by Committee on Families, Mental Health and Human Services.

Reported with amendment.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

# HB 5996 Rep. Kuipers

Crimes; other; mother of newborn surrendered under the born alive infant protection act; provide exemption from certain prosecutions.

Amends sec. 135 of 1931 PA 328 (MCL 750.135).

I.E. House, May 22, 2002.

Reported by Committee on Families, Mental Health and Human Services.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

\_\_\_\_\_ 117 \_\_\_\_\_\_

## HB 5997 Rep. Vander Veen

Children; protection; exemption from child abuse and neglect reporting provisions; add newborn whose birth is described in the born alive infant protection act.

Amends sec. 8 of 1975 PA 238 (MCL 722.628).

I.E. House, May 22, 2002.

Reported by Committee on Families, Mental Health and Human Services.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

\_\_\_\_ 118 \_\_\_\_\_

# **HB 5998** Rep. Bovin

Records; birth; procedures for the reporting of live births and the registration for a birth certificate listing unknown parentage; clarify.

Amends secs. 2822 & 2843 of 1978 PA 368 (MCL 333.2822 & 333.2843).

I.E. House, May 22, 2002.

For House amendment, see House Journal No. 48 page 1650.

Reported by Committee on Families, Mental Health and Human Services.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

### SCHEDULED MEETINGS

## **SCHEDULED MEETINGS**

**Appropriations -** Thursday, December 12, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

**Judiciary -** Tuesday, December 10, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-6920)

**Medicaid Buy-In Program Task Force (SR 159)** - Monday, December 9, 1:30 p.m., Room 110, Farnum Building (373-2523)

#### **BILLS IN CONFERENCE** Report Agreed To **Conferees** Bill No. **Brief Title** Senate House Senate House SJR D State; employees and officers; adoption of **McCotter** Patterson SOCC recommendation for next legislative Sikkema Bisbee session; require legislature approval. Leland Jacobs HB 5083 Children; other; advisory council on Bennett Kuipers psychotropic drug use among children; Stille Tabor Hansen create. Peters HB 5467 State; authorities; regional transportation Bullard Allen authority in Detroit; establish. McCotter Godchaux Young Thomas